

Opening Statement of the Honorable Fred Upton
Committee on Energy and Commerce
Hearing on “PPACA Implementation Failures: Didn’t Know or Didn’t Disclose?”
October 24, 2013

(As Prepared for Delivery)

Today the Energy and Commerce Committee continues our ongoing oversight of the health care law as we examine the many problems - crashes, glitches, systems failures - that have defined open enrollment. Over the months leading up to the October 1 launch, top administration officials and lead contractors appeared before this committee, looked us in the eye, and assured us repeatedly that everything was “on track.”

Except that it wasn’t, as we now know all too well.

So why did they assure us the website would work? Did they not know? Or did they not disclose? That’s what we are looking to find out, with the contractors today, and with Secretary Sebelius next week.

The companies that are here today all testified before the Health Subcommittee on September 10 about their work building the federal exchanges and healthcare.gov. In that hearing, and in briefings with committee staff, these companies represented that the exchanges would be ready for open enrollment on October 1. They also explained that their testing of the system had not identified any significant problems.

This is not about blame – this is about accountability, transparency, and fairness for the American public. The broken promises are many. The president promised Americans could keep their health plans if they liked them, “No matter what.” Yet here we are, 24 days into open enrollment, and more people are receiving cancellation notices in just two states than the 476,000 Americans that the administration boasts have begun applying in the entire country. This is a troubling fact – but we still don’t know the real picture as the administration appears allergic to transparency and continues to withhold enrollment figures.

This is more than a website problem – and frankly, the website should have been the easy part. I’m also concerned about what happens next. Will enrollment glitches become provider payment glitches? Will patients show up at their doctor’s office or hospital only to be told they, or their coverage, aren’t in the system?

In a few short months, families in Michigan and across the country will face penalties under the law’s individual mandate. How can the administration punish innocent Americans by forcing them to buy from a system that does not work and whose rollout has been nothing short of a disaster?

The American public deserves answers. Today we will get them from the lead contractors. Next week will be Secretary Sebelius’ turn.

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